

BEFORE THE PUBLIC EMPLOYEE RELATIONS BOARD
OF THE STATE OF KANSAS

Rhonda J. Vitatoe-Nunn et al.,
Petitioners,

and

Kansas State Troopers Association,
Intervenor,

v.

State of Kansas, Department of
Administration;

Kansas Highway Patrol;

and

Kansas Association of Public
Employees,

Respondents.

Petition for Unit Clarification/Amendment
No. 75-UCA-2-1995

Pursuant to K.S.A. 75-4321 et seq.
and K.S.A. 77-501 et seq

INITIAL ORDER

Now on this 3rd day of May, 1996 this matter comes regularly before Don Doesken, presiding officer, to consider the results of the self-determination election.

This matter was last before the presiding officer on February 21, 1996 for a pre-election conference. At that time, the Petitioner Rhonda J. Vitatoe-Nunn appeared in person; the Intervenor Kansas State Troopers Association appeared by Steve A.J. Bukaty, counsel; the Respondents Kansas Department of Administration and Kansas Highway Patrol appeared by Linda Fund, counsel; and the Respondent Kansas Association of Public Employees appeared by Scott Stone, counsel.

The pre-election conference was recorded by a certified shorthand reporter, and the presiding officer now finds that the transcript thereof is a sufficient record of the

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rulings issued by the presiding officer during that pre-election conference. At the conclusion of the pre-election conference, the presiding officer referred the matter to Mark Stephenson, election officer, to conduct a self-determination election.

Thereafter, a showing of interest was produced and verified, a ballot was prepared and mailed to all Communications Specialists I and II eligible to vote, and on April 1, 1996, the ballots were counted.

The presiding officer, having reviewed the official Tally of Ballots, finds that the Communications Specialists I and II have voted overwhelmingly to be added to the existing unit of Highway Patrol Troopers, and to be represented therein by the Kansas State Troopers Association. The presiding officer therefore finds that the Communications Specialists I and II should be added by accretion to the existing unit, and that a bargaining order should be issued in accordance therewith.

Order

The existing unit of uniform police employees employed by the Kansas Highway Patrol is hereby amended to include not only Troopers I and II and Master Troopers, but also Communications Specialists I and II.

The Kansas State Troopers Associations is hereby certified as the exclusive bargaining representative for all of the employees in the classifications described above,

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and the Respondents the Kansas Highway Patrol and the Kansas Department of Administration are hereby directed to meet and confer in good faith with the Kansas State Troopers Association concerning the terms and conditions of employment of all of the employees in the bargaining unit, in accordance with the requirements of the Public Employer-Employee Relations Act K.S.A. 75-4321 et seq.

IT IS SO ORDERED this 3rd day of May, 1996.



Don Doesken, Presiding Officer
KDHR-Legal
401 Topeka Ave.
Topeka, Kansas 66603-3182

Notice of Right to Review

This is an Initial Order issued by a presiding officer pursuant to K.S.A. 77-526, which disposes of all of the matters still pending before the presiding officer. This order will become a Final Order of the Public Employee Relations Board pursuant to K.S.A. 77-530 unless reviewed by the Board pursuant to K.S.A. 77-527.

This order may be reviewed by the Public Employee Relations Board, either on the Board's own motion, or at the request of any of the parties to this action. Any party seeking review of this order must file a Petition for Review with the Public Employee Relations Board within 18 days after this order is mailed. See K.S.A. 77-527(b) and K.S.A. 77-531. To be considered timely, a petition for review must be actually received in the PERB office by the close of business on Tuesday, May 21, 1996.

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Any petition for review should be mailed or faxed directly to:

Public Employee Relations Board
% George M. Wolf, Executive Director
1430 S. W. Topeka Blvd.
Topeka, Kansas 66603-1853
Fax (913) 296-4727

Certificate of Service

I, Don Doesken, do hereby certify that on this 3rd day of May, 1996 true and correct copies of the foregoing Initial Order were deposited in building mail and in the United States Mail, first-class, postage pre-paid, addressed to:

Rhonda J. Vitatoc-Nunn
3695 W. 13th Street, Apt. 4J
Wichita, Kansas 67203
Petitioner

Steve A.J. Bukaty
BLAKE & UHLIG, P.A.
753 State Avenue, Suite 475
Kansas City, Kansas 66101
Attorney for Kansas State Troopers Association

Linda J. Fund, Staff Attorney
Legal Section - Department of Administration
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Topeka, Kansas 66612-1214
Attorney for Kansas Department of Administration and Kansas Highway Patrol

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Kansas Association of Public Employees
1300 S. Topeka Boulevard
Topeka, Kansas 66612
Attorney for KAPE

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Public Employee Relations Board
% George M. Wolf, Executive Director
1430 S.W. Topeka Blvd.
Topeka, Kansas
Agency Head



Don Doesken, Presiding Officer